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IAP9 Rec'd PCT/PTO 01 SEP 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :

Akiho YOKOTA et al. : Mail Stop: PCT

Serial No. NEW : Attorney Docket No. 2006\_1303A

Filed September 1, 2006 :

METHOD FOR IMPROVING PRODUCTIVITY  
OF PLANT BY CHLOROPLAST TECHNOLOGY  
[Corresponding to PCT/JP2005/004037  
Filed March 2, 2005]

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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- each U.S. Patent and U.S. Patent application publication;
- each reference previously cited in the international application  
PCT/\_\_\_\_\_; and/or
- each reference previously cited in prior parent application Serial No.  
\_\_\_\_\_.

1a.  This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

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10/591752  
IAP9 Rec'd PCT/PTO 01 SEP 2006

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

**and thus no certification and/or fee is required.**

- 1b.  This Information Disclosure Statement is submitted  
after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:  
(1)  the certification of paragraph 2 below is provided, **or**  
(2)  the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

- 1c.  This Information Disclosure Statement is submitted:  
after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:  
**the certification of paragraph 2 below is provided, and**  
**the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified
- a.  that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
  - b.  that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

10/591752  
IAP9 Rec'd PCT/PTO 01 SEP 2006

3.  Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.
4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
  - a.  a full or partial English language translation submitted herewith,
  - b.  a foreign patent office search report (in the English language) submitted herewith,
  - c.  the concise explanation contained in the specification of the present application at page,
  - d.  the concise explanation set forth in the attached English language abstract,
  - e.  the concise explanation set forth below or on a separate sheet attached to the reference:
5.  A foreign patent office search report citing one or more of the references is enclosed.
6.  Enclosed please find a copy of the International Search Report, Written Opinion and copies of references cited in the ISR, Informal Comment on the Written Opinion, Second Written Opinion and Applicants' Arguments against the second Written Opinion, and International Preliminary Report on Patentability.

Respectfully submitted,

Akiho YOKOTA et al.

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September 1, 2006

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IAP9 Rec'd PCT/PTO 01 SEP 2006

Sheet 1 of 1

## INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 (modified)

ATTY DOCKET NO.  
2006\_1303ASERIAL NO.  
NEWU.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEAPPLICANT  
Akiho YOKOTA et al.LIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)FILING DATE  
September 1, 2006

GROUP

Date Submitted to PTO: September 1, 2006

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
/BP/	AJ	1 036 842	9/2000	EP			
/BP/	AK	98/18940	5/1998	WO			Abstract
	AL						
	AM						
	AN						

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

/BP/	AO	Y. Miyagawa et al., "Overexpression of a cyanobacterial fructose-1,6-/sedoheptulose-1,7-bisphosphatase in tobacco enhances photosynthesis and growth", Nature Biotechnology, Vol. 19, No. 10, pp. 965-969, October 2001.
/BP/	AP	P. Maliga, "Towards plastid transformation in flowering plants", Trends in Biotechnology, Vol. 11, No. 3, pp. 101-107, March 1993.
/BP/	AQ	A. Seuter et al., "Overexpression of the potential herbicide target sedoheptulose-1,7-bisphosphatase from <i>Spinacia oleracea</i> in transgenic tobacco", Molecular Breeding, Vol. 9, No. 1, pp. 53-61, 2002.

EXAMINER /Brent Page/ DATE CONSIDERED 07/15/2009

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.